

ENTERED

December 01, 2021

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

CASSONDRA Y.	§	CIVIL ACTION NO.
MADRIGAL,	§	4:19-cv-02499
Plaintiff,	§	
	§	
	§	
vs.	§	JUDGE CHARLES ESKRIDGE
	§	
	§	
KILOLO KIJAKAZI, <i>et al</i> ,	§	
Defendants.	§	

**ORDER ADOPTING
MEMORANDUM AND RECOMMENDATION**

Plaintiff Cassondra Y. Madrigal filed this action in July 2019 for judicial review of the final decision by the Social Security Administration on her claim for disability insurance benefits under Titles II and XVI of the Social Security Act. See generally Dkt 1. The matter was referred for disposition to Magistrate Judge Sam S. Sheldon. Dkt 7.

Madrigal proceeds here *pro se*. Process was served on the Acting SAA Commissioner at the outset, but Madrigal hadn't taken any further action in this case. See Dkt 4. She was ordered to show cause in October 2020 why the matter shouldn't be dismissed for want of prosecution. Dkt 6. She failed to do so and, indeed, made no further filings on the docket. Defendant Kililo Kijakazi, in her official capacity as Acting Commissioner of the SSA, also filed a motion for summary judgment. Dkt 19; see also Dkt 20.

As such, and in an abundance of caution, Judge Sheldon considered and ruled upon Defendant's motion and the underlying decision of the ALJ. He summarized the pertinent and adequate procedure afforded to Madrigal's claims, which relate back to an initial claim of inability to work in 2010. Dkt 21 at 1–3, 7. He

recommended that Defendant's motion for summary judgment be granted, and Madrigal's claims dismissed with prejudice. Id at 1.

Madrigal filed no objections.

A district court conducts "a *de novo* review of those portions of the report or specified proposed findings or recommendations to which objection is made." 28 USC § 636(b)(1)(C). But where there has been no objection to the ruling of the magistrate judge, the district court reviews the report and recommendation for "clear error, abuse of discretion and contrary to law." *US v Wilson*, 864 F2d 1219, 1221 (5th Cir 1989) (quotation omitted).

The pleadings, record, applicable law, and recommendations have been reviewed. No clear error or abuse of discretion appears on the face of the record, and the findings are not contrary to applicable law.


The Memorandum and Recommendation by the Magistrate Judge is ADOPTED as the Memorandum and Order of this Court. Dkt 21.

The motion for summary judgment by Defendant Kililo Kijakazi, in her official capacity as Acting Commissioner of the Social Security Administration, is GRANTED. Dkt 19.

All claims by Plaintiff Cassondra Y. Madrigal are DISMISSED WITH PREJUDICE. Dkt 1.

SO ORDERED.

Signed on November 30, 2021, at Houston, Texas.


Hon. Charles Eskridge
United States District Judge